

(Use as many sheets as necessary)

Complete if Known

Application Number	10/578,512
371 (c) Date	April 5, 2007
First Named Inventor	Christian FUNKE
Art Unit	1616
Examiner Name	Pak, John D.
Attorney Docket Number	2400.0370000/RWE/PDL

Sheet	1	of	2
-------	---	----	---

Examiner initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	US6	4,962,126	10-09-1990	Drabek	
	US7	5,478,855	12-26-1995	Suzuki <i>et al.</i>	
	US8	5,610,122	03-11-1997	Fischer <i>et al.</i>	
	US9	5,830,825	11-03-1998	Fischer <i>et al.</i>	
	US10	5,945,444	08-31-1999	Fischer <i>et al.</i>	
	US11	5,994,274	11-30-1999	Fischer <i>et al.</i>	
	US12	6,051,723	04-18-2000	Fischer <i>et al.</i>	
	US13	6,110,872	08-29-2000	Lieb <i>et al.</i>	
	US14	6,114,374	09-05-2000	Lieb <i>et al.</i>	
	US15	6,140,358	10-31-2000	Lieb <i>et al.</i>	
	US16	6,251,830 B1	06-26-2001	Fischer <i>et al.</i>	
	US17	6,255,342 B1	07-03-2001	Lieb <i>et al.</i>	
	US18	6,288,102 B1	09-11-2001	Hagemann <i>et al.</i>	
	US19	6,316,486 B1	11-13-2001	Lieb <i>et al.</i>	
	US20	6,358,887 B1	03-19-2002	Fischer <i>et al.</i>	
	US21	6,417,370 B1	07-09-2002	Lieb <i>et al.</i>	
	US22	6,451,843 B1	09-17-2002	Lieb <i>et al.</i>	
	US23	6,458,965 B1	10-01-2002	Lieb <i>et al.</i>	
	US24	6,511,942 B1	01-28-2003	Lieb <i>et al.</i>	

[illegible]

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.¹ Applicant's unique citation designation number (optional).² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04.³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible.⁶ Applicant is to place a check mark here if English language Translation is attached.

translation is attached.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /J.P./

Substitute for form 1449/PTO THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/578,512
				371 (c) Date	April 5, 2007
				First Named Inventor	Christian FUNKE
				Art Unit	1616
				Examiner Name	Pak, John D.
Sheet	2	of	2	Attorney Docket Number	2400.0370000/RWE/PDL

U.S. PATENT DOCUMENTS					
Examiner initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	US25	6,589,976 B1	07-08-2003	Fischer <i>et al.</i>	
	US26	6,706,758 B2	03-16-2004	Fischer <i>et al.</i>	
	US27	6,762,183 B2	07-13-2004	Fischer <i>et al.</i>	
	US28	6,861,391 B1	03-01-2005	Fischer <i>et al.</i>	
	US29	6,893,651 B1	05-17-2005	Fischer <i>et al.</i>	
	US30	6,900,190 B2	05-31-2005	Fischer <i>et al.</i>	
	US31	6,933,261 B2	08-23-2005	Lieb <i>et al.</i>	
	US32	7,256,158 B2	08-14-2007	Lieb <i>et al.</i>	
	US33	7,361,653 B2	04-22-2008	Sakata <i>et al.</i>	
	US34	7,585,887 B2	09-08-2009	Fischer <i>et al.</i>	
	US35	7,718,706 B2	05-18-2010	Lieb <i>et al.</i>	
	US36	2003/0216260 A1	11-20-2003	Ruther <i>et al.</i>	
	US37	2007/0259787 A1	11-08-2007	Ohkawara	
	US38	2010/0168042 A1	07-01-2010	Funke <i>et al.</i>	
	US39	2010/0249070 A1	09-30-2010	Funke <i>et al.</i>	
	US40	2010/0256195 A1	10-07-2010	Fischer <i>et al.</i>	
	US41	2010/0292226 A1	11-18-2010	Funke <i>et al.</i>	

FOREIGN PATENT DOCUMENTS						
Examiner initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	16
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				

1313286_1.DOC

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /J.P./

Substitute for form 1449/PTO THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/578,512
				371 (c) Date	April 5, 2007
				First Named Inventor	Christian FUNKE
				Art Unit	1616
				Examiner Name	Pak, John D.
				Attorney Docket Number	2400.0370000/RWE/PDL
Sheet	1	of	4		

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
	NPL5	BAUER, T.A., <i>et al.</i> , "Response of Selected Weed Species to Postemergence Imazethapyr and Bentazon," <i>Weed Tech.</i> 9:236-242, The Weed Science Society of America (1995)	
	NPL6	BLACKSHAW, R.E., "HOE-39866 Use in Chemical Fallow Systems," <i>Weed Tech.</i> 3:420-428, The Weed Science Society of America (1989)	
	NPL7	BLACKSHAW, R.E., "Synergistic Mixes of DPX-A7881 and Clopyralid in Canola (<i>Brassica napus</i>)," <i>Weed Tech.</i> 3:690-695, The Weed Science Society of America (1989)	
	NPL8	BLACKSHAW, R.E., <i>et al.</i> , "Herbicide Combinations for Postemergent Weed Control in Safflower (<i>Carthamus tinctorius</i>)," <i>Weed Tech.</i> 4:97-104, The Weed Science Society of America (1990)	
	NPL9	BLOUIN, D.C., <i>et al.</i> , "Analysis of Synergistic and Antagonistic Effects of Herbicides Using Nonlinear Mixed-Model Methodology," <i>Weed Tech.</i> 18:464-472, The Weed Science Society of America (2004)	
	NPL10	BRADLEY, P.R., <i>et al.</i> , "Response of Sorghum (<i>Sorghum bicolor</i>) to Atrazine, Ammonium Sulfate, and Glyphosate," <i>Weed Tech.</i> 14:15-18, The Weed Science Society of America (2000)	
	NPL11	BUKER, III, R.S., <i>et al.</i> , "Confirmation and Control of a Paraquat-Tolerant Goosegrass (<i>Eleusine indica</i>) Biotype," <i>Weed Tech.</i> 16:309-313, The Weed Science Society of America (2002)	
	NPL12	BURKE, I.C., <i>et al.</i> , "CGA-362622 Antagonizes Annual Grass Control with Clethodim," <i>Weed Tech.</i> 16:749-754, The Weed Science Society of America (2002)	
	NPL13	COLBY, S.R., "Calculating Synergistic and Antagonistic Responses of Herbicide Combinations," <i>Weeds</i> 15:20-22, Weed Society of America (1967)	
	NPL14	FLINT, J.L., <i>et al.</i> , "Analyzing Herbicide Interactions, A Statistical Treatment of Colby's Method," <i>Weed Tech.</i> 2:304-309, The Weed Science Society of America (1988)	

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /J.P./
 If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-766-9199) and select option 2.

Substitute for form 1449/PTO THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/578,512
				371 (c) Date	April 5, 2007
				First Named Inventor	Christian FUNKE
				Art Unit	1616
				Examiner Name	Pak, John D.
Sheet	2	of	4	Attorney Docket Number	2400.0370000/RWE/PDL

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume number, publisher, city and/or country where published	T ²
	NPL15	GILLESPIE, G.R., and NALEWAJA, J.D., "Wheat (<i>Triticum aestivum</i>) Response to Triallate Plus Chlorsulfuron," <i>Weed Tech.</i> 3:20-23, The Weed Science Society of America (1989)	
	NPL16	GREEN, J.M., <i>et al.</i> , "Metribuzin and Chlorimuron Mixtures for Preemergence Broadleaf Weed Control in Soybeans, <i>Glycine max</i> ," <i>Weed Tech.</i> 2:355-363, The Weed Science Society of America (1988)	
	NPL17	HARKER, N.K., and O'SULLIVAN, P.A., "Synergistic Mixtures of Sethoxydim and Fluazifop on Annual Grass Weeds," <i>Weed Tech.</i> 5:310-316, The Weed Science Society of America (1991)	
	NPL18	KENT, L.M., <i>et al.</i> , "Effect of Ammonium Sulfate, Imazapyr, and Environment on the Phytotoxicity of Imazethapyr," <i>Weed Tech.</i> 5:202-205, The Weed Science Society of America (1991)	
	NPL19	KOTOULA-SYKA, E., <i>et al.</i> , "Interactions between SAN 582H and Selected Safeners on Grain Sorghum (<i>Sorghum bicolor</i>) and Corn (<i>Zea mays</i>)," <i>Weed Tech.</i> 10:299-304, The Weed Science Society of America (1996)	
	NPL20	LANCLOS, D.Y., <i>et al.</i> , "Glufosinate Tank-Mix Combinations in Glufosinate-Resistant Rice (<i>Oryza sativa</i>)," <i>Weed Tech.</i> 16:659-663, The Weed Science Society of America (2002)	
	NPL21	NORRIS, J.L., <i>et al.</i> , "Weed Control from Herbicide Combinations with Three Formulations of Glyphosate," <i>Weed Tech.</i> 15:552-558, The Weed Science Society of America (2001)	
	NPL22	NOVOSEL, K.M., <i>et al.</i> , "Metolachlor Efficacy as Influenced by Three Acetolactate Synthase-Inhibiting Herbicides," <i>Weed Tech.</i> 12:248-253, The Weed Science Society of America (1998)	
	NPL23	PALMER, E.W., <i>et al.</i> , "Broadleaf Weed Control in Soybean (<i>Glycine max</i>) with CGA-277476 and Four Postemergence Herbicides," <i>Weed Tech.</i> 14:617-623, The Weed Science Society of America (2000)	
	NPL24	RUMMENS, F.H.A., "An Improved Definition of Synergistic and Antagonistic Effects," <i>Weed Science</i> 23(1):4-6, The Weed Science Society of America, United States (1975)	

Examiner Signature	Date Considered
--------------------	-----------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /J.P./
 If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/578,512
				371 (c) Date	April 5, 2007
				First Named Inventor	Christian FUNKE
				Art Unit	1616
				Examiner Name	Pak, John D.
Sheet	3	of	4	Attorney Docket Number	2400.0370000/RWE/PDL

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume number, publisher, city and/or country where published	T ²
	NPL25	SALZMAN, F.P., and RENNER, K.A., "Response of Soybean Combinations of Clomazone, Metribuzin, Linuron, Alachlor, and Atrazine," <i>Weed Tech.</i> 6:922-929, The Weed Science Society of America (1992)	
	NPL26	SCOTT, R.C., <i>et al.</i> , "Spray Adjuvant, Formulation, and Environmental Effects of Synergism from Post-Applied Tank Mixtures of SAN 582H with Fluazifop-P, Imazethapyr, and Sethoxydim," <i>Weed Tech.</i> 12:463-469, The Weed Science Society of America (1998)	
	NPL27	SHAW, D.R. and ARNOLD, J.C., "Weed Control from Herbicide Combinations with Glyphosate," <i>Weed Tech.</i> 16:1-6, The Weed Science Society of America (2002)	
	NPL28	SNIPES, C.E., and ALLEN, R.L., "Interaction of Graminicides Applied in Combination with Pyriithiobac," <i>Weed Tech.</i> 10:889-892, The Weed Science Society of America (1996)	
	NPL29	SUN, Y.-P. & JOHNSON, E.R., "Analysis of Joint Action of Insecticides against House Flies", <i>J. Econ. Entomol.</i> , 53:887-892, Journal of Economic Entomology, United States (1960)	
	NPL30	WEHTJE, G. and WALKER, R.H., "Interaction of Glyphosate and 2,4-DB for the Control of Selected Morningglory (<i>Ipomoea</i> spp.) Species," <i>Weed Tech.</i> 11:152-156, The Weed Science Society of America (1997)	
	NPL31	ZHANG, W., <i>et al.</i> , "Fenoxaprop Interactions for Barnyardgrass (<i>Echinochloa crus-galli</i>) Control in Rice," <i>Weed Tech.</i> 19:293-297, The Weed Science Society of America (2005)	
	NPL32	Office Action mailed February 16, 1993, in United States Patent Application No. 07/909,939, Fischer <i>et al.</i> , filed July 7, 1992	

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /J.P./
 If you need assistance in completing the form, call 1-800-F-70-9159 (1-800-476-9159) and select option 2.

Substitute for form 1449/PTO THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/578,512
				371 (c) Date	April 5, 2007
				First Named Inventor	Christian FUNKE
				Art Unit	1616
				Examiner Name	Pak, John D.
Sheet	4	of	4	Attorney Docket Number	2400.0370000/RWE/PDL

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume number, publisher, city and/or country where published	T ²
	NPL33	Office Action mailed May 3, 2004, in United States Patent Application No. 10/239,332, Fischer <i>et al.</i> , filed September 20, 2002	
	NPL34	Office Action mailed October 29, 2004, in United States Patent Application No. 10/239,332, Fischer <i>et al.</i> , filed September 20, 2002	
	NPL35	Office Action mailed November 14, 2003, in United States Patent Application No. 10/221,970, Fischer <i>et al.</i> , filed September 16, 2002	

1313380_1.DOC

Examiner Signature	/John Pak/	Date Considered	02/12/2011
-----------------------	------------	--------------------	------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /J.P./
 If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-456-9199) and select option 2.